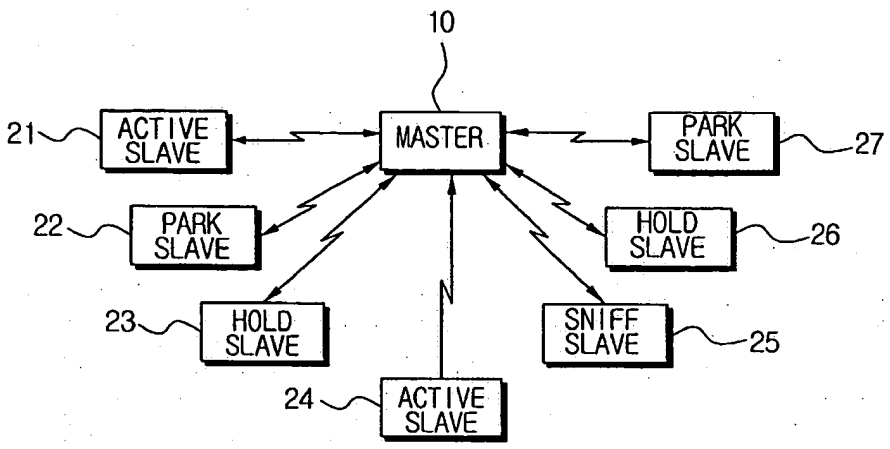
REMARKS/ARGUMENTS

The rejection presented in the Office Action dated January 29, 2008, (hereinafter Office Action) has been considered but is believed to be improper. Reconsideration of the pending claims and allowance of the application in view of the present response is respectfully requested.

The asserted teachings of U.S. Publication No. 2003/0045242 by Cho (hereinafter "Cho") and U.S. Publication No. 2002/0061744 by Hamalainen *et al.* (hereinafter "Hamalainen") do not alone, nor in combination, teach or suggest each of the claimed limitations; therefore, Applicant respectfully maintains the traversal of the § 103(a) rejection based upon these references. Specifically, neither of the asserted references teaches a device that receives a control command from a first unit (with which the device has a connection) for adjusting activity of a second connection with another unit, as claimed. Using Applicant's Claim 1 as an example, the claimed invention is directed to a configuration with three devices: 1) a device receiving a control command and adjusting an LPRF connection, 2) a first unit that sends a control command to the device and has an LPRF connection with the device, and 3) another unit that has an LPRF connection with the device that has its connection with the device adjusted. The assertion that Cho's master device adjusts a connection when a slave device is added to a network using a control command fails to correspond to several of the claimed limitations at least because the claimed device that adjusts the connection is not the claimed device that issues the control command . The failure of Cho's teachings to align with each of the claim limitations may be illustrated using Cho's Fig. 1, which is reproduced below.

FIG. 1



Since Cho's master device 10 is the device asserted as adjusting a connection with a slave device, the master 10 must be asserted as corresponding to the claimed device. However, Cho does not teach or suggest that any device other than the master 10 issues control commands; therefore, the master 10 is not taught as receiving the asserted control command from a first unit as required by the claims. Also, the master 10 cannot correspond to the claimed first unit because none of the slave devices are taught as having connections to any device other than the master 10 such that none of the slave devices could correspond to the claimed device. The only device taught by Cho that could correspond to the claimed device would be the master 10, but the asserted control command issued by the master 10 to shift the operational mode of a slave is not received from another device with which the master 10 has a connection. Thus, no alignment of Cho's teachings would correspond to each of the claimed limitations.

Moreover, the asserted control command issued by Cho's master 10, fails to correspond to the claimed control command sent by a first unit. No teaching or suggestion has been identified that Cho's asserted control command is received when another LPRF connection needs to be established by the unit sending the control command (claimed device 2 above). Also, no teaching in Cho has been identified that the other LPRF connection that needs to be established with the first unit would operate on the same

frequency band as the claimed second LPRF connection between the claimed device (claimed device 1 above) and other unit (claimed device 3 above). Thus, Cho's teachings do not align with the claimed invention and the asserted control command fails to correspond to the claimed control command.

In addition and as explained previously, Hamalainen also fails to teach or suggest sending the claimed control command. The claims require that the control command issued by a first device is for adjusting activity of a connection between two other devices. In the asserted teachings of Hamalainen, there is no teaching or suggestion that a control command described by Hamalainen is given when a first unit needs to establish another LPRF on the same frequency band as another device's (second) connection. Rather, Hamalainen generally discuss that a master device can be used as a gateway such that a Bluetooth network may be controlled remotely through a master device. There is no indication that such control is related to an LPRF connection of a device where the unit that issues the control command needs to establish an LPRF connection operating on the same frequency as the second LPRF connection.

In order to establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974); and moreover, "[a]ll words in a claim must be considered in judging the patentability of that claim against the prior art." *In re Wilson*, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). *See, e.g.*, MPEP § 2143.03. The Examiner appears to have again ignored certain claim limitations such as those directed to a device that receives a control command from a first unit (with which the device has a connection) for adjusting activity of a second connection with another unit, which are not taught by either of the cited references. For example, neither Cho nor Hamalainen teaches a configuration of devices that establishes LPRF connections as claimed. Thus, the mere use of an asserted control command by a master device to a slave device in a piconet at least does not correspond with the claimed control command issued by a first unit for adjusting connection activity of a second LPRF connection between other devices.

In summary, it was correctly acknowledged in the previous Office Action (at page six) that Cho does not teach at least receiving a control command, as claimed. Hamalainen also fails to correspond to the claimed receiving of a control command as it has not been shown that any alleged control is given where the unit that issues the control command needs to establish an LPRF connection operating on the same frequency as the second LPRF connection. Thus, neither of the cited references teaches at least receiving a control command from a first unit, as claimed. As neither of the asserted references teaches these limitations, any combination of these references must also fail to correspond to such limitations. Without a presentation of correspondence to each of the claimed limitations, the § 103(a) rejection is improper. Applicant accordingly requests that the rejection be withdrawn.

Dependent Claims 2-15, 17-30, and 32-35 depend from independent Claims 1, 16, and 31, respectively. Each of these dependent claims also stands rejected under 35 U.S.C. § 103(a) as being unpatentable over the above-discussed combination of Cho and Hamalainen. While Applicant does not acquiesce to any particular rejections to these dependent claims, including any assertions concerning descriptive material, obvious design choice and/or what may be otherwise well-known in the art, these rejections are moot in view of the remarks made in connection with the independent claims. These dependent claims include all of the limitations of their respective base claims and any intervening claims and recite additional features which further distinguish these claims from the cited references. "If an independent claim is nonobvious under 35 U.S.C. §103, then any claim depending therefrom is nonobvious." MPEP § 2143.03; *citing In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Therefore, dependent Claims 2-15, 17-30, and 32-35 are also patentable over the combination of Cho and Hamalainen.

With particular respect to dependent Claims 3 and 18, the asserted teachings of Cho fail to correspond to the claimed limitations. First, paragraphs [0006] and [0007] merely teach a master device sending out operational frequencies so that each slave device may synchronize individually with the master. There is no suggestion that any of the slaves are informed about another connection being established. Second, based upon the asserted

alignment of Cho to the claimed limitations, the claimed second LPRF connection is established prior to the asserted new connection being constructed (asserted as corresponding to the claimed another LPRF connection needing to be established by the first unit) – they are two separate connections (between different devices). Therefore, informing a first unit about constructing a new connection fails to correspond to informing the first unit about establishment of the claimed second LPRF connection. Without a presentation of correspondence to each of the claimed limitations, the § 103(a) rejection is improper, and Applicant accordingly requests that the rejection be withdrawn.

With particular respect to dependent Claims 4, 5, 19, and 20, the asserted teachings of Cho fail to correspond to the claimed limitations. The discussion of different operating modes such as park mode in paragraph [0009] fails to correspond to the claimed communicating with a first unit to resolve whether the first unit has control commands for adjusting connection activity of the second LPRF connection. In contrast, paragraph [0009] teaches that the communication by the slave device in park mode is merely a request for maintenance synchronization for that slave device. There is no suggestion that a slave device in Cho issues control commands for adjusting the connection activity of the master device's connection with another slave device. Without a presentation of correspondence to each of the claimed limitations, the § 103(a) rejection is improper, and Applicant accordingly requests that the rejection be withdrawn.

With particular respect to dependent Claims 15 and 30, the asserted teachings of Cho fail to correspond to the claimed limitations. The claim requires that a first unit is informed when a second LPRF connection (which is established between two devices other than the first unit as defined in Claim 1) ends. The mere fact that a time period ends does not correspond to the claimed ending of an LPRF connection. Also, the asserted master/core unit is one of the devices connected with the second LPRF connection and is not the claimed first unit. Thus, informing the master/core unit does not correspond to informing the claimed first unit which is not one of the devices connected with the second LPRF connection. Without a presentation of correspondence to each of the claimed

limitations, the § 103(a) rejection is improper, and Applicant accordingly requests that the rejection be withdrawn.

It should be noted that Applicant does not acquiesce to the Examiner's statements or conclusions concerning what would have been obvious to one of ordinary skill in the art, obvious design choices, common knowledge at the time of Applicant's invention, officially noticed facts, and the like. Applicant reserves the right to address in detail the Examiner's characterizations, conclusions, and rejections in future prosecution.

Authorization is given to charge Deposit Account No. 50-3581 (NKO.032.US) any necessary fees for this filing. If the Examiner believes it necessary or helpful, the undersigned attorney of record invites the Examiner to contact the undersigned attorney to discuss any issues related to this case.

Respectfully submitted,

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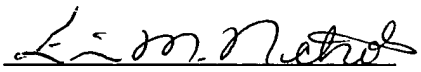
By: 

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